



CITY OF WINTER GARDEN TREE PERMIT APPLICATION

Date Submitted_____ **Permit#**_____

Job Address_____

Owner Name, Address & Phone number_____

Contractor Name, Address & Phone number_____

CRITERIA FOR TREE REMOVAL MUST BE PER CITY CODE SECTION 114.73

Items needed:

- 1) Commercial – Two (2) site plans identifying the type, size and location of tree(s) to be removed.**
- 2) Commercial and Residential - Tree(s) must be marked with a ribbon.**
- 3) Reason for removal**_____
- 4) Number of trees on property** _____

In filling out this application, I understand that the City of Winter Garden will only issue a tree permit for substantial reason and may require that equivalent amount of trunk diameter or per diameter at the rate of \$25.00 per diameter inch. Per City of Winter Garden code section 114.64 in its entirety.

Owner/Contractor

Date

OFFICE ONLY

Approved by

Disapproved by

Date

Attach at least two (2) pictures.

CITY CODE SECTION 114-64 PENALTY FOR VIOLATION

- (a) If a tree not authorized for removal is removed, altered or damaged such that its susceptibility to disease or other detrimental environmental factors is significantly increased which may result in premature death, the person causing such removal, alteration, damage or premature death shall pay to the city \$25.00 per diameter inch(DBH) of each such tree. In addition, where violations of this article have occurred, remedial action shall be taken to restore the property consistent with a restoration plan approved by the building official. The restoration plan may require tree replacement at not more than a 4:1 ratio and require mitigation of any other damage to the property, as well as tree replacements.
- (b) No certificate of occupancy shall be issued for any development until all applicable permit or restoration plan conditions have been accomplished.
- (c) Trees destroyed or receiving major damage in violation of section 114072 must be replaced by either a comparable size and type tree or a minimum ten foot tree from the recommended stock list, at a 4:1 ratio, before a certificate of completion or certificate of occupancy is issued.
- (d) Failure to comply with required remedial action shall be referred to the city commission.
- (e) Any violation of this article shall render the person causing or permitting the violation as well as the property owner subject to the penalties in this section, including the following to be determined by the city commission:
 - (1) A fine of up to but not exceeding \$25,000.00. In assessing the fine the city commission shall consider, among other things, the size, age and health and amount of trees damaged or removed.
 - (2) Cancellation of all building permits and site plan approvals until payment of all fines and completion of all restoration work. After payment of all fines and completion, to comply with prior approval or issuance of any permits, new plans will be required.
 - (3) Payment of attorney's fees and costs incurred by the city in enforcement of this article regarding such violation

CITY CODE SECTION 114-73 CRITERIA FOR TREE REMOVAL

Tree removal may be approved where design modifications are not feasible or reasonable and one or more of the following circumstances exist:

- (1) Street opening. The location of a tree unreasonably restricts the opening of a street or road right of way.
- (2) Utilities and drainage. The location of the tree unreasonable restricts the construction of utility lines or drainage facilities.
- (3) Property access. The location of the tree unreasonable restricts access to the property.
- (4) Property use. The tree unreasonable prevents development of a lot or parcel or the physical use thereof. It is the intent of this subsection that no permit shall be granted for the removal of any tree where the applicant has failed to design and locate the proposed improvements to minimize the removal of trees consistent with the permitted use of the property under chapter 118.
- (5) Hazards. The tree constitutes a hazard to life or property which cannot be mitigated without removing the tree.
- (6) Poor health care. The tree is dying or dead, so that its restoration to sound condition is not practical, or the tree has a disease which can be expected to be transmitted to other trees and to endanger their health.
- (7) Relocation limitation. The trees cannot reasonably be relocated on or off the site because of age, type, or size based upon accepted forestry practices.

City of Winter Garden Ordinance

Sec. 114-75. Recommended and restricted trees.

(a) *Recommended stock.* The following tree replacement species are suggested for the purposes of this article; the following trees may be used as replacement stock without prior approval; all other replacement trees must be approved by the building department and shall be included in the book "Guide to the Vascular Plants of Central Florida" by Richard P. Wunderlin:

- (1) Loquat (*Eriobotrya japonica*).
- (2) Live oak (*Quercus virginiana*).
- (3) Laurel oak (*Quercus laurifolia*).
- (4) Red maple (*Acer rubrum*).
- (5) Sweet gum (*Liquidambar styraciflua*).
- (6) Sycamore (*Platanus occidentalis*).
- (7) Goldenrain tree (*Koelreuteria formosana*).
- (8) Camphor (*Cinnamomum camphora*).
- (9) Bald cypress (*Taxodium distichum*).
- (10) Southern magnolia (*Magnolia grandiflora*).
- (11) American holly (*Ilex opaca*).
- (12) Dahoon holly (*Ilex cassine*).
- (13) Cherry laurel (*Prunus caroliniana*).
- (14) Southern red cedar (*Juniperus silicicola*).
- (15) Crape myrtle (*Lagerstroemia indica*).
- (16) Black cherry (*Prunus serotina*).
- (17) Flowering dogwood (*Cornus florida*).
- (18) Redbud (*Cercis canadensis*).
- (19) Chickasaw plum (*Prunus angustifolia*).
- (20) Jerusalem thorn (*Parkinsonia aculeata*).
- (21) Coast pignut hickory (*Carya glabra megacarpa*).
- (22) Pecan (*Carya illinoensis*).
- (23) Weeping willow (*Salix* spp.).
- (24) Fringe tree (*Chionanthus virginicus*).
- (25) Loblolly bay (*Gordonia lasianthus*).
- (26) Glossy privet (*Ligustrum lucidum*).
- (27) Nagi (*Podocarpus nagi*).
- (28) Red buckeye (*Aesculus paula*).
- (29) Ironwood (*Carpinus caroliniana*).
- (30) Scrub hickory (*Carya floridana*).
- (31) Pignut hickory (*Carya glabra*).
- (32) Hackberry (*Celtis laevigata*).
- (33) Swamp dogwood (*Cornus foemina*).
- (34) Tulip tree (*Liriodendron tulipifera*).
- (35) Sweet bay (*Magnolia virginiana*).
- (36) Wax myrtle (*Myrica cerifera*).
- (37) Wild olive/devilwood (*Osmanthus americanus*).
- (38) Red bay (*Persea borbonia*).
- (39) Sand live oak (*Quercus geminata*).
- (40) Bluejack oak (*Quercus incana*).
- (41) Scrub oak (*Quercus inopina*).
- (42) Turkey oak (*Quercus laevis*).
- (43) Myrtle oak (*Quercus myrtifolia*).

- (44) Water oak (*Quercus nigra*).
 - (45) Spanish oak (*Quercus shumardii*).
 - (46) Pond cypress (*Taxodium ascendens*).
 - (47) Basswood (*Tilia americana*).
 - (48) Winged elm; cork elm (*Ulmus alata*).
 - (49) American elm; white elm (*Ulmus americana*).
 - (50) Sparkleberry (*Vaccinium arboreum*).
 - (51) Walters viburnum (*Viburnum abovatum*).
 - (52) Pindo palm (*Butia capitata*).
 - (53) Canary Island date palm (*Phoenix canariensis*).
 - (54) Sabal palm (*Sabal palmetto*).
 - (55) Washington palm (*Washingtonia robusta*).
 - (b) *Restricted stock*. The following trees may not be used as replacement stock within the city:
 - (1) Silk oak (*Grevillea robusta*).
 - (2) Jacaranda (*Jacaranda acutifolia*).
 - (3) Australian pine (*Casuarina spp.*).
 - (4) Cama eucalyptus (*Eucalyptus camaldulensis*).
 - (5) Ear tree (*Enterolobium cyclocarpum*).
 - (6) American mulberry (*Morus urbra*).
 - (7) Chinaberry (*Melia azedarach*).
 - (8) Cajeput or punk tree (*Melaleuca leucadendron*).
 - (9) Citrus trees (all types).
 - (10) Florida holly or Brazilian pepper (*Schinus terebinthifolius*).
 - (11) Chinese tallow tree (*Sapium sebiferum*).
 - (12) Mimosa (*Albizzia julibrissin*).
 - (13) All palms, except as specified in subsection (a) of this section.
- (Code 1988, § 12.5-55)

For more information, see City of Winter Garden Ordinance Article I Sec.114-1 – www.cwgdn.com